

Fourth Annual Report on the Status of the Certificate of Mastery Study Committee

Presented to the
House and Senate Education Committees

by

Warren T. Smith Sr., President
State Board of Education

January 14, 2004

DATE: January 14, 2004

TO: Members, House Education Committee
Members, Senate Education Committee

FROM: Warren T. Smith Sr., President
State Board of Education

RE: 4th Annual Report on the Status of the Certificate of Mastery Study
Committee of the State Board of Education

I am privileged to present this annual report to the legislative education committees on the work of the State Board of Education's Certificate of Mastery (COM) Study Committee. This report is a self-imposed requirement under State Board policy adopted in January 2000.

The COM Study Committee completed its three year effort in May 2003. At that time the committee submitted its final report and recommendations to the State Board of Education. The Board is now operating as a "committee of the whole." It is diligently working toward its internally established deadline of Summer 2004 to reach a decision about the reliability and validity of the state high school assessment system (the Washington Assessments of Student Learning-WASLs, and the Washington Alternate Assessment System-WAAS), as a measure of student learning of the Essential Academic Learning Requirements (EALRs; i.e., content standards).

This work effort is significant. It is so important that beginning with its August 2003 meeting and continuing through June 2004, the first day of each three day Board meeting agenda is reserved exclusively to focus on this policy decision.

It is the perspective of our Assistant Attorney General that the Board's statutory decision responsibility is narrower than previously understood. Given this development, it is clearer that the controlling authority over the viability of the established public policy requiring the Certificate of Mastery (COM) for graduation is the body that created it: the Legislature. Legislative action or inaction during the 2004 legislative session will be a significant test, if you will, of the Legislature's resolve and commitment to continue moving forward with reshaping the public education system to meet the needs of its young people in this century.

Sustaining and building upon the gains of education reform over the last ten years is the central "test of will" of the day. It will remain substantive, hard, demanding work for all of us: the Legislature, State Board of Education, Superintendent of Public Instruction, A+ Commission, professional educators and administrators, local school directors, parents, and students. Only through the collective efforts and obligations of all parties will the state fully realize the goal of basic education that was rewritten by the Legislature in 1993:

"The goal of the Basic Education Act for the schools of the state of Washington... shall be to provide students with the opportunity to become responsible citizens, to contribute to their own economic well-being and to that of their families and communities, and to enjoy productive and satisfying lives." **[RCW 28A.150.210]**

If you have questions or need additional information, please do not hesitate to contact me, or Larry Davis, the State Board's Executive Director, at (360) 725-6025, (360)-586-2357 (FAX), ldavis@ospi.wednet.edu.

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EXECUTIVE SUMMARY

The work of the State Board of Education's Certificate of Mastery Study Committee was challenging. Perhaps more challenging is the ongoing related work that is the responsibility of the State Superintendent's Office.

Legal Perspective. The Board's primary decision is to determine whether the high school assessment system is sufficiently reliable and valid for the purpose of determining whether students have mastered the EALRs. The Legislature has determined that successful completion of the high school assessments will be a graduation requirement, when the Board makes a positive determination. The State Board will need to determine if the high school assessment system is a fair test of that which is taught. The key question is, *"Is there sufficient evidence that the WASLs and WAAS measure student mastery of the EALRs?"*

This perspective was shared with the Board by its Assistant Attorney General after completion of work by the Certificate of Mastery (COM) Study Committee. It is presented in greater detail in the body of this report and in **Appendix A**.

The recommendations of the COM Study Committee have been presented to the full State Board of Education. They are now under review by the Board as it progresses toward its momentous policy decision in June. The COM Study Committee was charged with making recommendations linked to three goals:

- GOAL 1 Make a recommendation to the State Board of Education about the validity and reliability of the secondary Washington Assessments of Student Learning (WASLs).
- GOAL 2 Make recommendations to the State Board of Education regarding a legal analysis of the readiness and fairness of the system to support the secondary WASLs as a graduation requirement.
- GOAL 3 Make recommendations to the State Board of Education regarding what to do for students who do not and cannot pass the secondary WASLs.

The final report reflects that some committee members believe the state is on track to establish and fund certain policies and programs considered necessary to assure fairness. This view led them to take the position that the State Board can declare the high school assessment system as sufficiently reliable and valid. The report also reflects that other committee members essentially agreed on the same policies and programs needing to be in place and funded. The view of these committee members is that such action needs to happen first. Accordingly, their view led them to take the position that the State Board cannot, yet, declare the high school assessment system sufficiently reliable and valid.

The following items remain for review and action:

- The performance cut-score on the WASL needs to be reviewed and compared to other accepted indicators of student achievement.
- The scoring model used for the WASLs needs to be reviewed before adopting a "one size fits all" model.

As stated in our 2003 annual report, three issues still stand out as critical ones in keeping the Certificate of Mastery a graduation requirement (via WASL/WAAS performance):

- 1) Re-take opportunities. These must be available in sufficient time before the COM becomes a requirement and to implement incentives.
- 2) Appeals process. There must be a process for students to appeal their denial of a COM. Criteria and a process for appeals needs to be in place.
- 3) Resources for curriculum alignment, teacher development, and remediation. The system needs ongoing resources to continue the reforms and restructuring required by our performance-based system.

In addition, the definition of Certificate of Mastery needs to be determined for students with special needs and for those who for one reason or another cannot and will not be able to achieve the COM through the current WASL assessments.

The State Board's decision this summer will be a major public policy milestone. It must be understood that the decision will deal with only one of the ensemble of public policy issues that are critical to staying the course of creating a public education system that will better prepare our young people for their future.

BACKGROUND

In 1993, the Legislature passed the Improvement of Student Achievement Act (E2SHB 1209). The law states, in part:

"After a determination is made by the state board of education that the high school assessment system has been implemented and that it is sufficiently reliable and valid, successful completion of the high school assessment shall lead to a certificate of mastery. The certificate of mastery shall be obtained by most students at about the age of sixteen, and is evidence that the student has successfully mastered the essential academic learning requirements during his or her educational career. The certificate of mastery shall be required for graduation but shall not be the only requirement for graduation."

RCW 28A.655.060(3)(c)

In 1997, the then Commission on Student Learning submitted to the legislative education committees a report developed by the Commission's Certificate of Mastery Ad Hoc Committee, entitled: Recommendations on the Washington Certificate of Mastery. The report recommended formal implementation of the Certificate of Mastery (COM) beginning with the graduating Class of 2006. (Copies available upon request to the OSPI Policy and Partnerships Office.)

In 1999, legislation was introduced that would have established in law that the COM be formally required for graduation beginning with the graduating Class of 2008. The bill did not pass. However, as a result of dialogue with key legislators, the State Board indicated that it could and would use its rule-making authority to set a target effective date for the Certificate of Mastery.

In January 2000, the State Board of Education adopted a rule establishing 2008 as the target inaugural graduating class that will have to possess the COM in order to graduate, in addition to satisfying all other state and local graduation requirements. (Attachment B, SBE Policy: WAC 180-51-063). At the same time, the Board created the COM Study Committee. (Attachment C, SBE Policy: WAC 180-51-064).

The COM Committee members were appointed in late May 2000 by then State Board President Linda Carpenter. (Attachment D, membership history). State Board member Gary Gainer was appointed as the committee chair. Mr. Gainer chose in October 2002 not to seek another term on the State Board. However, with the support of the Board and agreement by Mr. Gainer, then Board President Bobbie May asked him to continue to serve as chair of the COM Study Committee until it sunsetted in May 2003.

Between June and October 2000, the COM Study Committee established a mission, work goals, and timeline:

Committee Mission

Examine and make recommendations to the State Board of Education on validity and reliability issues and conduct a review and analysis of the requirement that students obtain a certificate (of mastery) as a condition for high school graduation.

Committee Work Goals

1. Make a recommendation to the State Board of Education about the validity and reliability of the secondary Washington Assessment of Student Learning (WASL).
2. Make recommendations to the State Board of Education regarding an evaluation of the readiness of the system to support the secondary WASL as a graduation requirement.
3. Make recommendations to the State Board of Education regarding what to do for students who do not and cannot pass the secondary WASL.

Committee Timeline

The committee's final date for submitting findings and recommendations to the State Board is May 2003. The State Board has set a date of not later than mid-2004 to make its declaratory determination.

Over a period of nearly three years, the COM Study Committee met a total of 19 times. Minutes of most of the committee's meetings are available on the website of the State Board of Education (www.sbe.wa.gov).

WHAT'S NEXT: 2004

The State Board of Education is now operating as a committee of the whole. Beginning with its August 2003 meeting, the first day of its three-day meetings between August 2003 and June 2004 will be scheduled solely for work on COM issues related to the Board's decision-making responsibility. (Attachment D sets forth a guiding work plan that already has been adjusted and may be further adjusted as 2004 unfolds.)

The January 2004 meeting is particularly important:

- The Board's Assistant Attorney General will present his written perspective on the Board's scope of decision-making authority.
- Dr. William Mehrens, a nationally recognized assessment expert who serves on Superintendent Bergeson's national Technical Advisory Committee (TAC) will present a written TAC perspective on the validity and reliability of the WASLs in reading, writing, and mathematics.
- Dr. Mehrens will present his view of what must be in place systemically in order to have a high-stakes graduation test.
- The Board will spend time discussing in depth the COM Study Committee final report.
- Dr. Catherine Taylor will begin a substantive review for the Board of the technical WASL reports over the last several years.

The Board's established goal is to make its decision at its June 17-18, 2004 meeting in Seattle. Both in order to maintain 2008 as the effective year for the COM graduation requirement, and to provide students entering ninth grade the 2004-05 school year a full four-years notice that the COM is one of the graduation requirements they must meet, the latest the Board can render a judgment is at its August 2004 meeting.

The 2004 legislative session is critical. The most important step the Legislature can and must take to move forward on the COM graduation requirement is to provide funding for retake opportunities for students who do not pass one or more of the WASLs on their initial try. We believe the Legislature understands the importance of this necessary action, but will stress it again -

Failure by the Legislature to take this step will make it virtually impossible for the State Board to hold to the 2008 effective date, notwithstanding a decision that the high school assessment system is a sufficiently reliable and valid measure of student learning of the EALRs.

Presently, in the Office of Superintendent of Public Instruction, the following efforts and activities are underway, or planned to be underway if funding is provided by the Legislature:

- National experts attest that in order to successfully implement a graduation requirement tied to a high-stakes assessment, students must be given multiple opportunities to take the assessment and meet standards. Most experts settle on four opportunities as a minimum, and six opportunities as an ideal. Providing retake opportunities will require OSPI to develop additional test forms. Developing the additional test forms requires development and piloting of test items (i.e., questions). This work must be funded in FY 2004 in order to be ready for first retake opportunities in Fall 2006.
- An alternate format to assess students' mastery or an appeal process must be made available in order to successfully implement an assessment as a graduation requirement. In December 2004, OSPI will design, with the help of national experts and a review of other states, three options for an alternative assessment system. These options will be presented to the legislature in January 2005.
- There needs to be assurance that the high school assessments are testing the EALRs (the learning standards). Alignment reviews have been conducted for all three levels of the mathematics assessment. Yet to be completed, and contingent on funding, are alignment reviews for reading and writing assessments at all three grade levels.
- When cut scores were adopted for the 10th grade WASL over 8 years ago (reading, writing, and mathematics), standard setting committee members did not directly or deliberately determine what the minimum score should be for purposes of award of a Certificate of Mastery (CoM). Psychometric experts advise that an intentional, informed, and purposeful decision should be made regarding four potential options for setting the cut scores for purposes of graduation.

Superintendent Bergeson's Fiscal Year 2004 supplemental operating budget request includes the following specific requests, all of which are supported by the State Board of Education:

| Operating Expenditures | | FY 2004 | FY 2005 | Total |
|--------------------------------------|------|-----------------|--------------------|--------------------|
| Assessment Re-takes**** | GF-S | 0 | \$387,732 | \$387,732 |
| Cut Score Review | GF-S | 0 | \$99,411 | \$99,411 |
| Alignment Reviews Writing/Reading | GF-S | 0 | \$300,000 | \$300,000 |
| Norm-Referenced Test Reporting | GF-S | \$20,000 | \$20,000 | \$40,000 |
| Alternate Assessment Development | GF-S | \$33,094 | \$339,273 | \$372,367 |
| Total Cost | | \$53,094 | \$1,126,416 | \$1,179,510 |

***The cost displayed here for assessment re-takes is incomplete. OSPI is currently negotiating a five-year contract for the development and administration of the WASL. Until this contract is fully negotiated in late October, a budget request cannot be finalized. [NOTE: Budget request was submitted in September 2003 in conformance with OFM requirements.]

(NOTE: The contract is still being negotiated as of the release date of this report.)

YEAR IN REVIEW: 2003

Three significant developments occurred in 2003. First, in February 2003, the results of a representative sample statewide survey of districts regarding Opportunity To Learn (OTL) issues was completed and shared with the Legislature. A copy can be accessed via the State Board of Education website at: www.sbe.wa.gov

Surveys were sent to 84 districts spread across the following enrollment categories: 1-499, 500-1999, 2000-4999, 5000-9999, 10,000-19,999, and 20,000 and above.

Surveys were sent to approximately 5000 students at each of the designated grade levels, over 3000 teachers, 300 principals at each level, 4000 parents, and all school district superintendents, curriculum directors, special education directors, assessment coordinators, and school board presidents.

A total of sixteen (16) targeted groups received surveys. The groups represented different roles in education and carry different perspectives as a result. Consequently, the surveys were not exactly the same, but there were similar questions relating to common topics, such as: reading, writing, listening, math, curriculum alignment with the EALRs, use of assessment results for instructional planning, resources, staff training, reinstruction and remediation opportunities, reporting of results to students and parents, awareness of the COM as a graduation requirement, coordination of curriculum, instruction, and assessment.

Each of the surveys listed above can be found on the State Board web site at www.sbe.wa.gov. (Click on "Grad Requirements" in the subject menu; then scroll down to "Opportunity to Learn Survey for Participating Districts.")

The OTL survey results (see **Appendix B** for summary of findings) generally indicate favorable systemic progress toward providing all students sufficient opportunity to learn the EALRs before taking the high school assessments and earning the COM. Included among the areas responding stakeholders saw a need for improvement are: resources to complete curriculum alignment work; continuation of professional development opportunities for teachers and other staff; funding for support services for students whose social/emotional/physical problems are interfering with their opportunity to learn; and increasing the instructional time devoted to meeting the standards by providing resources for remedial classes, summer school, etc.

It is important to keep in mind that the results reflect one source of OTL information, a single, point-in-time snapshot of the common school system taken in late Fall 2002.



In 1993, the Legislature made the policy decision that the COM would be a graduation requirement (subject to a determination by the State Board that the high school assessment system is sufficiently reliable and valid.) It is clear from court cases that certain system-related OTL issues cannot be ignored, even if such factors may not be explicitly and directly linked to the decision the Board must make. The full range of

OTL issues may not be appropriate factors for the State Board to take into consideration in making its June 2004 decision. Nonetheless, the issues are not ones anyone can, nor should, wish away.

Legal case law has established the high school diploma as a property right. The denial of a diploma cannot be done on an unfair or arbitrary basis. The diploma can be denied as long as the process leading to diploma denial is fair. Examples of unfair denial factors would include, but may not necessarily be limited to: no or not enough retake opportunities, curriculum that is not aligned to the state learning goals and EALRs (upon which the WASLs are based); lack of or inadequate instruction of the EALRs, combined with a lack of or inadequate remediation opportunities for students who fail to perform on the assessments.

The experiences of other states, and at least one case-study of the cost of a high-stakes testing program (Indiana), underscore the importance of the old axiom, "You get what you pay for." We encourage the Legislature to view expenditures on behalf of students' education as an investment. If Washington is to reasonably expect the performance outcomes we say we desire for all students, under investing will not lead to meeting the promise of education reform and the goal of the state Basic Education program.

The second major development was completion by the COM Study Committee of its assigned charge from the State Board of Education. The committee submitted its final report at the Board's May 2003 meeting. The full report is attached as **Appendix G** and can also be accessed via the SBE website.

The report includes committee positions for the three goals, sub-divided into five areas:

- | | |
|---------|---|
| GOAL 1A | Make a recommendation to the State Board of Education about the <u>validity</u> of the secondary Washington Assessments of Student Learning (WASLs). |
| GOAL 1B | Make a recommendation to the State Board of Education about the <u>reliability</u> of the secondary Washington Assessments of Student Learning (WASLs). |
| GOAL 2A | Make recommendations to the State Board of Education regarding a legal analysis of the readiness of the system to support the secondary WASLs as a graduation requirement. |
| GOAL 2B | Make recommendations to the State Board of Education regarding a fairness analysis of the readiness of the system to support the secondary WASLs as a graduation requirement. |
| GOAL 3 | Make recommendations to the State Board of Education regarding what to do for students who do not and cannot pass the secondary WASLs. |

The report reflects that some committee members believed that the state is on track to establish certain policies and programs (some requiring funding; see list below), and felt comfortable taking the position that the high school assessment system is sufficiently reliable and valid. The report also reflects that other committee members, while agreeing on a number of the policies and programs, were not comfortable taking a position that the high school assessment system is sufficiently reliable and valid until after the policies and programs are in place.

The list of "consensus" agreement policies and programs includes:

- Adequate notice of the *COM* graduation requirement
- Retake opportunities
- Provision of remediation opportunities
- Alignment of curriculum and instruction
- Availability of an alternate assessment (as rigorous as the WASLs)
- Appeals opportunity (limited)
- Teacher readiness and effectiveness
- Uniform test administration guidelines

Without question the Legislature's 1993 policy decision remains a topic of considerable discussion. A finding by the State Board that the high school assessment system is sufficiently reliable and valid as a measure of student achievement of the EALRs will not eliminate all discussion about the *COM* as a state graduation requirement. Certain systemic policies and programs need to be established (in some instances requiring state funding), in order to best position the state for successful defense of the *COM* graduation requirement policy, should that policy be challenged in court. It is reasonable to assume that once the *COM* becomes a formal graduation requirement, there will come a time when a student somewhere in Washington State meets all state and local graduation requirements, except the *COM*. It is at that point that the viability of the public policy could be challenged in court, most likely on a basis linked to Opportunity To Learn.

Appendix E of the *COM* Study Committee final report (pages 51-54) cites a position statement adopted by the American Educational Research Association (AERA) in July 2000. The statement expresses positions related to high-stakes testing on the following issues:

- Protection Against High-Stakes Decisions Based on a Single Test
- Adequate Resources and Opportunity to Learn
- Validation for Each Separate Intended Use
- Full Disclosure of Likely Negative Consequences of High-Stakes Testing Programs
- Alignment Between the Test and the Curriculum
- Validity of Passing Scores and Achievement Levels
- Opportunities for Meaningful Remediation for Examinees Who Fail High-Stakes Tests
- Appropriate Attention to Language Differences Among Examinees
- Appropriate Attention to Students with Disabilities
- Careful Adherence to Explicit Rules for Determining Which Students Are to be Tested
- Sufficient Reliability for Each Intended Use
- Ongoing Evaluation of Intended and Unintended Effects of High-Stakes Testing

Readers are strongly encouraged to review in its entirety Appendix E of the COM Study Committee Final Report.

While the committee's work on OTL issues may not completely factor into the Board's decision in June 2004, that work is nonetheless critical for all policymakers to understand more fully the complete public policy picture.

The third significant development last year occurred at the State Board's August 2003 meeting, at which an initial legal perspective was shared with the Board by its Assistant Attorney General. Expressed at the time was the AAG's preliminary view that the Board's decision is to determine if the high school assessment system is sufficiently

reliable and valid as a measure of student learning of the EALRs, rather than to determine if the high school assessment system is sufficiently reliable and valid as the means for students to meet the COM graduation requirement.

The preliminary view has now evolved into a formal perspective (although not in the form of an Attorney General Opinion.) [See **Appendix A**]. As stated in Memorandum, the State Board has two decisions to make:

“First, the Board is asked to determine that a high school assessment system has been implemented,” and meets the statutorily referenced criteria defining that system.

“The second charge to the Board is to determine whether the high school assessment system is sufficiently reliable and valid.”

The latter charge is the more challenging one with which to deal, as is thoughtfully examined in the Memorandum. It is a well-articulated examination and analysis of key terms, statutory language, and guiding court cases. The conclusion is shared below. The admonition is that to fully benefit from the concluding perspective, it is important to read the entire contents of the Memorandum, so that the context in which the conclusion is grounded is understood.

“The Legislature charged the Commission on Student Learning and OSPI to develop the EALRs and develop an assessment designed to measure mastery of the EALRs. It charged school districts to provide a basic education program that includes the EALRs. It charged this Board to determine that the high school assessment system is sufficiently reliable and valid for measuring whether students have mastered the EALRs. If and when the Board makes a positive determination, the COM will become a graduation requirement. In the narrowest sense, the Board will have discharged its legal duty at that point.

The fact that the Board has been placed in the position of triggering the graduation requirement implies that the Board should also be aware of the “fairness” issues. Case law regarding the fairness of high stakes tests suggests that the most critical components of fundamental fairness are the following: (1) sufficient reliability and validity of the test, i.e., whether the test measures what it purports to measure and does so with a sufficient degree of reliability; (2) a requirement that the measured skills be taught; (3) sufficient notice that successful performance on the assessment will be required for graduation; (4) opportunities for students to retake the exam; and (5) remediation opportunities for students who fail to successfully perform on the exam.

Therefore, I believe the Board could and should appropriately advise publicly on the presence or absence of the recognized components of fairness as a corollary to determining reliability and validity of the assessment.”

CLOSING COMMENTS

The State Board's charge to reach a determination is nearing completion. The education reform journey remains substantive and challenging, and does not end when that determination is rendered. The policy decision linking the Certificate of Mastery to the high school diploma is as significant today as it was when it was adopted by the Legislature in 1993. This particular element of the ongoing implementation of a performance-based education system is critical to the state's education reform effort. The policy outcome (whether by action of the State Board of Education, or the Legislature, or the courts), will profoundly affect the lives of every student, every educator, every business, and every family in the state.

We again commend the Legislature for the thoughtful patience it has exhibited thus far. The cover letter to this report states, *"Sustaining and building upon the gains of education reform over the last ten years is the central "test of will" of the day."* The state is seeing gains as a result of the reform effort. Professional educators continue to work hard to provide students the best possible education.

The most important action you can take during the 2004 legislative session is providing the necessary and critical funding support. Such action will grow the gains of the last decade. Our hope is that your decisions this session will be based on quality information, the combined efforts of the State Board, the State Superintendent, and the A+ Commission, and thoughtful deliberation.

Invest in the future; invest in students.

A copy of this report is on the State Board of Education website: www.sbe.wa.gov

APPENDIX A

MEMORANDUM

January 12, 2004

TO: WARREN T. SMITH, President
State Board of Education

FROM: DAVID A. STOLIER
Assistant Attorney General

SUBJECT: State Board of Education's Duty to Determine Whether Assessment
System is Sufficiently Reliable and Valid

I. Question Presented

You have asked me what the State Board of Education (Board) must do to discharge its legal duty under RCW 28A.655.060(3), which provides in part,

(c) After a determination is made by the state board of education that the high school assessment system has been implemented and that it is sufficiently reliable and valid, successful completion of the high school assessment shall lead to a certificate of mastery. The certificate of mastery shall be obtained by most students at about the age of sixteen, and is evidence that the student has successfully mastered the essential academic learning requirements during his or her educational career. The certificate of mastery shall be required for graduation but shall not be the only requirement for graduation. . . .

RCW 28A.655.060(3) (emphasis added).

II. Analysis

A. Legislative History

The language was enacted in 1993 as part of section 202 of ESHB 1209. It substantially modified the original education reform legislation from the 1992 session. The same section originally read as follows:

The academic assessment system shall use a variety of methodologies, including performance-based measures, to determine if students have mastered the essential academic learning requirements, and shall lead to a certificate of mastery. The certificate of mastery shall be required for graduation. . . .

Laws of 1992, ch. 141, § 202(5)(c) (SSB 5953) (emphasis added).

Comparing the amended language to the original language highlights two points. First, the Legislature linked the certificate of mastery (COM) to high school graduation in the original 1992 bill. Second, the 1993 legislation consciously inserted a deliberative process by the Board to trigger the link between performance on the assessment and receipt of the COM. There is little legislative history to be found to illuminate the Legislature's intent. However, I think it fair to say that the Board's role was added as a check step. The Legislature sought some assurance that the assessment system was a fair measure of the skills it was asking students to acquire before performance on the assessment would be linked to a high school diploma.

B. Implementation of an Assessment System

The Board's charge is two-fold. First, the Board is asked to determine that a high school assessment system has been implemented. "Assessment system" is defined in statute as

[A] series of assessments used to determine if students have successfully learned the essential academic learning requirements. The assessment system shall be developed under *RCW 28A.630.885(3)(b).¹

RCW 28A.655.010(5).

¹ The asterisk denotes that RCW 28A.630.885 was recodified as RCW 28A.655.060.

The referenced statute directs the Commission on Student Learning² and the Office of Superintendent of Public Instruction (OSPI) to develop a statewide assessment system for use in the elementary, middle, and high school years designed to determine if each student has learned the essential academic learning requirements (EALRs). The assessment system must include criterion-referenced and performance-based measures. RCW 28A.655.060(3)(b)(i). The system must be designed so that the results under the assessment system may be used by educators as tools to evaluate instructional practices and to initiate appropriate educational support for students who have not learned the EALRs at the appropriate periods in the student's educational development. RCW 28A.655.060(3)(b)(ii).

Therefore, the first part of the Board's charge is to determine if a high school assessment system that meets the above-referenced criteria has been implemented in the state. The Board should bear in mind that it may not have a "finished" assessment system to opine on. The Legislature contemplated that both the EALRs and the assessments would continue to evolve, specifically authorizing OSPI to modify both as needed. RCW 28A.655.060(3)(b)(v).

C. Determination of Sufficient Reliability and Validity

The second charge to the Board is to determine whether the high school assessment system is sufficiently reliable and valid. We first need to define terms. This presents a challenge because there is not universal agreement on the use of the word "validity" and the Legislature did not specify what it meant. I have reviewed enough material to understand that "validity" can be a loaded term and usage varies among experts and policy advocates. In addition to the working definitions previously adopted by the Board, I will introduce definitions used in the two leading court cases reviewing the legality of high stakes tests: GI Forum, Image De Tejas v. Texas Education Agency³ in Texas, and Debra P. v. Turlington⁴ in Florida. The courts used reliability and validity as tools to evaluate whether high stakes assessments were fundamentally fair under the Due Process Clause and/or the Equal Protection Clause of the Constitution.

1. **Reliability**. Reliability generally refers to how often a test will yield the same result. It is an indicator of the consistency of measurement. GI Forum, 87 F. Supp. 2d at 672. The Board has been working with the following definition:

² The various powers, duties, and functions of the Commission on Student Learning were divided up between the Superintendent of Public Instruction and the A+ Commission and transferred as of July 1, 1999. RCW 28A.655.900.

³ 87 F. Supp. 2d 667 (W.D. Tex. 2000).

⁴ The Debra P. litigation over Florida's State Student Assessment Test (SSAT) as a graduation requirement resulted in multiple court decisions as it bounced between the federal district court and federal court of appeals over the course of 5 years. I refer to them as follows: Debra P. I, 474 F. Supp. 244 (M.D. Fla. 1979); Debra P. II, 644 F.2d 397 (5th Cir. 1981); Debra P. III, 564 F. Supp. 177 (M.D. Fla. 1983); Debra P. IV, 730 F.2d 1405 (11th Cir. 1984).

Reliability is the degree to which the results of an assessment are dependable (i.e., relatively free from random errors of measurement) and consistently measure particular student knowledge and/or skills. . . .⁵

These definitions are consistent. The issue of sufficient reliability does not seem to have been a very contentious one in the court cases, leading me to believe that neither the definition nor the methodology for demonstrating reliability are overly controversial. Based on information presented at the most recent Board meeting, it appears that the Board should be able to tap into OSPI staff for statistical evidence of reliability.

2. **Validity.** Validity is a more difficult term to pin down because there are various types of validity that could apply to competency testing. The Board has been working thus far with the following definition:

Validity is the extent to which an assessment/test measures what it is supposed to measure, as well as the extent to which inferences and actions based on the assessment/test scores are appropriate and accurate. . . .⁶

According to the Texas court, validity generally refers to the weight of the accumulated evidence supporting the particular use of the test scores. GI Forum, 87 F. Supp. 2d at 672. The Florida courts used the term "content validity" to refer to the degree to which the test measures the knowledge and skills sought to be measured. Debra P. II, 644 F.2d at 404, n.10.

"Construct validity" is a related concept that refers to how well the test measures the construct for which it was designed. Debra P. II, 644 F.2d at 404, n.10. In other words, does the performance on the test really reveal whether the student can comprehend what she reads or can solve math problems? For purposes of criterion-referenced assessment of academic skills, there appears to be little difference between construct and content validity, since the construct tested is the mastery of the required academic content. Thus, the construct validity is grounded in the content validity of the test.⁷

To scope down another level, courts have also used the terms "curricular validity" and "instructional validity" as subsets or components of content validity. The courts have used the two terms inconsistently, but both have been used to refer to the notion that an assessment must measure material that is taught to students. Another way to put it is that students must have been afforded adequate opportunity to learn the material covered on the assessment. See GI Forum, 87 F. Supp. 2d at 672; Debra P. II, 644 F.2d at 404.

⁵ Final Report of the Certificate of Mastery Study Committee, May 2003.

⁶ Final Report of the Certificate of Mastery Study Committee, May 2003.

⁷ See William A. Mehrens, "Defending a State Graduation Test: *GI Forum v. Texas Education Agency*. Measurement Perspectives From an External Evaluator", *Applied Measurement in Education*, 13(4) p. 395 (2001).

The Florida court distinguished the two terms in the following way. Curricular validity means the test parallels the curricular goals of the state (i.e., the EALRs in Washington). See Debra P. III, 564 F. Supp. at 184. Instructional validity is an "elusive concept" that ensures the test is a fair test of that which is taught in the schools. Id.; Debra P. IV, 730 F.2d at 1407. Not everyone agrees on the appropriate use of the two terms. For instance, the Texas court did not use the term "instructional validity". However, it did address "opportunity to learn" as a fairness issue.

I believe the Board's working definition captures the core of the concepts of content and construct validity and for reasons set forth below most likely comports with the Legislature's understanding of the term when it enacted the legislation.

3. **Sufficiency**. The word "sufficient" in the phrase "sufficiently reliable and valid", may be defined as "enough to meet the needs of a situation or a proposed end".⁸ It necessarily calls for the Board to exercise judgment and discretion. To do so, the Board needs some sense of what the purpose of the assessment is. Similarly, in order for the Board to apply its working definition of validity, it needs to be mindful of what the assessment is supposed to measure.

4. **Purpose of the Assessment**

To determine the purpose of the assessment, it is appropriate to look at the full scope of the education reform legislation. There is ample redundant language to suggest where the Legislature's focus was. "The certificate of mastery . . . is evidence that the student has successfully mastered the essential academic learning requirements during his or her educational career. . . ." RCW 28A.655.060(3)(c). The assessment system is "designed to determine if each student has learned the essential academic learning requirements" RCW 28A.655.060(3)(b)(i). The assessments must be "directly related to the essential academic learning requirements" RCW 28A.655.060(3)(b)(vi). Finally, recall the "assessment system" is defined as one used to determine if students have successfully learned the EALRs. RCW 28A.655.010(5).

As a whole, the legislation focuses on constructing a system that (1) identifies skills that students should know; (2) develops EALRs based on those skills; and (3) develops assessments to fairly measure mastery of the EALRs. At the same time, the Legislature has embedded instruction of the EALRs into the basic education program, requiring school districts to make the EALRs part of the program offered to all students. RCW 28A.150.220(1)(b).⁹ Within this context, the most reasonable interpretation is that the Legislature gave the Board the duty to "close the loop". That is, the Board must assure that the assessment really does measure students' mastery of the EALRs.

⁸ Miriam-Webster On-line Dictionary.

⁹ This requirement also came in with the original 1992 legislation. Laws of 1992, ch. 141, § 503.

Therefore, I conclude that Board's primary duty is to determine whether the high school assessment system is sufficiently reliable and valid for purposes of determining whether students have mastered the EALRs. In other words, the Board must be satisfied that the assessment measures the competencies it is supposed to measure and does so reliably.

Secondarily, I think there is some implied responsibility for the Board to consider and comment on the issue of fairness (or opportunity to learn) raised by its duty to trigger the graduation requirement. Whether the Legislature was aware of the legal implications of high stakes tests or not, the fact remains that the Board's determination does trigger the graduation requirement. According to the case law discussed below, even if the assessment reliably and validly measures mastery of the EALRs, fairness dictates that students have actually been exposed to the material before successful performance is required for graduation.

I turn now to a brief discussion of the Texas and Florida cases to illustrate the different ways evidence of validity was used in examining the legal fairness of high stakes tests.

D. High Stakes Tests—Evidence of Validity and Opportunity to Learn

As the Florida and Texas cases demonstrate, test reliability and validity inform fairness issues, such as the opportunity to learn. The cases do not set forth a rigid formula for defending the use of high stakes exams. Rather, in each case some combination of factors provided sufficient weight to satisfy the court.

In the Florida case, the trial court initially held the Florida assessment had sufficient content validity. The appellate court subsequently determined the holding was erroneous because the record lacked evidence that the material covered on the test was actually studied in the classrooms of the state. Debra P. II, 644 F.2d at 404. The appellate court, therefore, remanded the case (sent the case back) to the trial court. Thereafter, the state commissioned a consultant to develop and administer a study, consisting of a variety of surveys. The trial court relied on the study as well as state policies regarding curriculum, retakes, and remediation to conclude that the assessment was instructionally valid and that students had an adequate opportunity to learn. Debra P. III, 564 F. Supp. at 184-86. Specifically, the following factors were taken into consideration by the court as evidence that the assessments were sufficiently valid to provide fundamental fairness to the students,

- Uniform testing standards at various benchmark grades to monitor the acquisition of basic skills by students statewide. (Debra P. III, 564 F. Supp. at 185.)
- A four-part survey to determine whether the school districts teach the skills tested by the competency exam: the components were a teacher survey, a district survey, site visits to verify the district reports, and a random student survey. (Debra P. III, 564 F. Supp. at 180-82.)

- Pupil progression plans to ensure that students are not promoted without consideration of each student's mastery of basic skills. (Debra P. III, 564 F. Supp. at 185.)
- Students given multiple chances (5) to pass the test. If they failed, they were offered state-funded remedial help targeted at the student's identified deficiencies. Remediation efforts were monitored by the state. (Debra P. III, 564 F. Supp. at 185; Debra P. IV, 730 F.2d at 1411.)
- School districts no longer had authority to decide not to teach the minimum standards. The state department of education published and distributed minimum performance standards; the state periodically reviewed programs for compliance; districts provided annual reports to the state; districts had access to state-approved instructional materials. (Debra P. III, 564 F. Supp. at 184.)

Although it did make use of the survey in its second decision, the trial court also recognized that the issue of instructional validity is a slippery slope. The court took pains to note that it would be impossible to prove conclusively the degree to which every one of the students were exposed to the skills measured on the test.¹⁰ Rather, "[w]hat is required is that the skills be included in the official curriculum and that the majority of the teachers recognize them as being something they should teach. . . ." Debra P. III, 564 F. Supp. at 186. When this has been shown, then "the only logical inference is that the teachers are doing the job they are paid to do and are teaching these skills. . . ." Id. The second appellate court agreed. It specifically rejected the appellants' argument that there must be direct evidence that students were "actually taught" the subjects tested. Debra P. IV, 730 F.2d at 408.

The Texas court took an approach similar to where the Florida courts ended up. In the GI Forum decision, the court focused on construction of the assessment, alignment of the assessment to state's essential skills, and remediation provisions. Specifically, the court relied on the following:

- Rigid state-mandated correlation between the TEKS (Texas version of the EALRs) and the assessment. (GI Forum, 87 F. Supp. 2d at 674.)
- Testimony by experts of the actual assessment and item development process, including piloting and review processes. (GI Forum, 87 F. Supp. 2d at 672.)

¹⁰ "[A]bsent viewing a videotape of every student's school career, how can we know what really happened to each child? . . ." Debra P. III, 564 F. Supp. at 184.

- Reviews of test items during test construction for whether the items covered sufficiently-taught portions of the state-mandated curriculum. (GI Forum, 87 F. Supp. 2d at 672.)
- State-mandated remediation on specific subject areas. Even though there was no state-mandated approach to remediation, the state was able to produce evidence of successful remediation. (GI Forum, 87 F. Supp. 2d at 673.)
- Eight opportunities for students to pass the exam prior to their scheduled graduation date, meaning a single test score did not serve as the sole criterion for graduation. (GI Forum, 87 F. Supp. 2d at 675.)

The Texas court put this evidence together and concluded that since (a) the assessment measures what it purports to measure; (b) does so with a sufficient degree of reliability; and (c) the state has made largely successful efforts at remediation and offered substantial retake opportunities, all students had a reasonable opportunity to learn. GI Forum, 87 F. Supp. 2d at 682.

The courts in both cases put great weight on remediation efforts. The Texas court noted that the result of poor performance on the exam was additional, targeted educational opportunity for students and another chance at passing the test. GI Forum, 87 F. Supp. 2d at 674. The Florida courts similarly mentioned that remedial instruction targeted at students' identified deficiencies bolstered a finding of instructional validity. Debra P. IV, 730 F.2d at 1408, 1410. Thus, the opportunity for retakes and targeted remediation may substantially cure systemic deficiencies that otherwise weigh against finding an adequate opportunity to learn.

E. Implications of the Court Decisions for This Board's Role

In contrast to the role of the courts, the Board in Washington has not been asked to undertake a constitutional review. Rather, it has been asked to certify that a necessary component of fundamental fairness is in place: that is, whether the assessment sufficiently measures what it purports to measure and does so with a sufficient degree of reliability.

Nonetheless, I believe there are some important lessons to be taken from the cases. First, taken together the cases demonstrate how slippery the term "validity" can be. The one common denominator is that it is essential that an assessment measure the basic skills it purports to measure. Therefore, even a conservative definition of validity serves broader fairness concerns. Second, the cases identify additional components of fairness that will come into play once the COM becomes a graduation requirement. The court cases teach that the State should have in place several structural components as indicia of opportunity to learn. These include the EALRs being established as part of a state-mandated curriculum; schools and teachers having access to the EALRs; and students having retake and remediation opportunities.

These clearly will be critical issues once the COM becomes a graduation requirement. To the extent the Board perceives any of these components are missing, it should advise the Legislature.

The Board need not peer into each classroom of the state. The cases cast doubt on whether such an exercise is legally necessary or even possible. Further, the Legislature did not intend the Board to engage in that level of scrutiny when it gave the Board the authority and duty to determine reliability and validity of the assessment system. Rather, the Legislature gave the Board a role to mark the appropriate beginning of the next stage of an ongoing process.¹¹

III. Conclusion

The Legislature charged the Commission on Student Learning and OSPI to develop the EALRs and develop an assessment designed to measure mastery of the EALRs. It charged school districts to provide a basic education program that includes the EALRs. It charged this Board to determine that the high school assessment system is sufficiently reliable and valid for measuring whether students have mastered the EALRs. If and when the Board makes a positive determination, the COM will become a graduation requirement. In the narrowest sense, the Board will have discharged its legal duty at that point.

The fact that the Board has been placed in the position of triggering the graduation requirement implies that the Board should also be aware of the "fairness" issues. Case law regarding the fairness of high stakes tests suggests that the most critical components of fundamental fairness are the following: (1) sufficient reliability and validity of the test, i.e., whether the test measures what it purports to measure and does so with a sufficient degree of reliability; (2) a requirement that the measured skills be taught; (3) sufficient notice that successful performance on the assessment will be required for graduation; (4) opportunities for students to retake the exam; and (5) remediation opportunities for students who fail to successfully perform on the exam.

Therefore, I believe the Board could and should appropriately advise publicly on the presence or absence of the recognized components of fairness as a corollary to determining reliability and validity of the assessment.

¹¹ Until the Board triggers the COM, there is no way to evaluate the effect of a diploma sanction on opportunity to learn. The Texas court recognized that "there is a measurable difference in the motivation between students taking a field examination and students taking a test with actual consequences. . . ." GI Forum, 87 F. Supp. 2d at 673. Similarly, although the graduation requirement in Florida was postponed by the litigation, the court thought it likely that the threat of the diploma sanction pending the outcome of the litigation contributed to improved pass rates. Debra P. IV, 730 F.2d at 1416.

I trust this is of some assistance. This memorandum is not an official Attorney General Opinion, but represents my own considered analysis as your assigned assistant attorney general.

DAVID A. STOLIER
Assistant Attorney General
(360) 586-0279

DAS:bb

ATTACHMENT B

**OPPORTUNITY TO LEARN
IN WASHINGTON**

February, 2003

**A study conducted for the Certificate of Mastery
Study Committee of the State Board of Education
by Educational Service District 101**

Geoff Praeger, Project Director

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Opportunity to Learn in Washington

Results of a Statewide Survey

February, 2003

Purpose

This study was conducted to assess the degree to which students in Washington state have had the opportunity to learn the content and skills required to earn the Certificate of Mastery as a high school graduation requirement. The study was conducted by Educational Service District 101 under a contract with the State Board of Education, using funds allocated by the State Legislature for that purpose. The survey results presented herein are intended to provide a source of information about opportunity to learn and serve as a baseline for further studies.

Design

The study consisted of sixteen surveys designed to gather perspectives from a wide variety of stakeholder groups in Washington. Prior to the development of the survey instruments, legal issues related to opportunity to learn were researched, reports from other states were studied, and educators and legislators were interviewed. Draft questions were reviewed with the State Board of Education and its Certificate of Mastery Study Committee. Technical review and guidance was provided by the State's National Technical Advisory Committee and members of the Superintendent of Public Instruction's Staff. Initial survey forms were then tried out with focus groups of students and staff members. Their input led to the pilot versions of the surveys, which were administered in May 2002. Results of the pilot guided further refinement of the survey questions. Final versions of the surveys were sent to a statewide sample in October of 2002. The information contained in this report reflects conditions existing at that time.

The stakeholder groups included in the sample were:

5th Grade Students

8th Grade Students

11th Grade Students

Elementary Teachers and Principals

Middle School Teachers and Principals

High School Teachers and Principals

Assessment Coordinators

Counselors

Curriculum Directors

Special Education Directors

Superintendents

School Board Presidents

Parents

The surveys were designed to provide information about opportunity to learn issues on three levels:

- Legal Requirements: Expectations derived from previous court cases and opinions (e.g., notifying students of the requirements in a timely manner).
- Fairness Issues: Areas that might not be strictly necessary in a legal sense but would be considered fair practice (e.g., periodically informing students where they are in relation to the standards).
- Best Practices: Activities that are generally accepted to produce optimal student learning (e.g., individually diagnosing student needs).

Summary of Findings

Although this should not be taken as the definitive study on opportunity to learn, a number of patterns do emerge:

- The consistency of data among different groups, subgroups, regions and district sizes suggest that the issues under consideration are indeed statewide and systemic.
- Those areas where people feel that they have some control are rated more positively than areas where others are seen to be in control.

There clearly are a number of strengths:

- Most teachers claim a working knowledge of the Essential Academic Learning Requirements (EALRs).

- Curriculum alignment has been largely achieved at the elementary level and is moving forward at the secondary level.
- Many teachers report employing state-of-the-art instructional practices.
- Results of state tests are being used to guide planning and instructional practice.
- Specific test preparation activities occur in most schools.
- There is a high level of awareness about the WASLs in all-statewide groups.
- Most teachers support education reform.
- Test accommodations and alternative assessments are being used for most special population students.
- There is some extra help for students who need it.
- School Board Presidents generally support education reform.

There are, of course, areas where many of the stakeholders see a need for improvement:

- Creation of a listening curriculum at all levels.
- The need for resources to complete curriculum alignment work.
- Development of models for improved communication with students about where they are in relation to the standards and how what is taught aligns with the WASL.
- Providing written communication with parents about the standards, Certificate of Mastery requirements and their children's progress.
- Continuation of professional development opportunities for teachers and other staff.
- Providing funding for support services for students whose social/emotional/physical problems are interfering with their opportunity to learn.
- Increasing the instructional time devoted to meeting the standards by providing resources for remedial classes, summer school, etc.

ATTACHMENT C

WAC 180-51-063 Certificate of mastery -- High school graduation requirement -- Effective date. (1) Pursuant to RCW 28A.655.060 (3)(c):

(a) The certificate of mastery shall be a graduation requirement, but not the only requirement for graduation from high school; and

(b) The state board of education is responsible for determining when the secondary Washington assessment of student learning has been implemented and is sufficiently valid and reliable.

(2)(a) The state board of education establishes the 2007-08 school year as the first year in which graduating high school students shall be required to have attained the state certificate of mastery in order to graduate, in addition to other state and local graduation requirements.

(b) The state board of education fully recognizes that a higher standard of validity and reliability must be applied when the result of the assessment affects the ability of an individual student to receive a high school diploma. Therefore, the state board of education will continue to monitor the high school level Washington assessment of student learning. If the board finds that the assessment is lacking in this higher level of validity or reliability, or both, by the beginning of the 2004-05 school year, the state board may change the effective date of the certificate of mastery, for state graduation purposes, to a later school year.

(c) Beginning the 2007-08 school year, the certificate of mastery shall consist of the subject areas under the student learning goals for which a Washington assessment of student learning secondary assessment has been implemented and declared valid and reliable for graduation purposes. It is expected that the initial certificate of mastery will be comprised of reading, writing, communications, and mathematics.

(d) Beginning the 2009-10 school year, the certificate of mastery shall include science if a Washington assessment of student learning secondary assessment has been implemented and declared valid and reliable for this subject area.

(e) As determined by the state board of education, in consultation with the legislature and the academic achievement and accountability commission, successful completion of the Washington assessment of student learning secondary assessment in social studies may be required to achieve the certificate of mastery or may lead to an endorsement on the high school transcript.

(f) As determined by the state board of education, in consultation with the legislature and the academic achievement and accountability commission, successful completion of the Washington assessment of student learning secondary assessment in arts and health and fitness may lead to an endorsement on the high school transcript.

(g) Effective with students who begin the ninth grade in 2003 (the graduating class of 2007), students who take the secondary Washington assessment of student learning and earn the certificate of mastery and/or meet the standard, attainment of the state certificate of mastery and/or meeting the standard shall be noted on the student's transcript pursuant to WAC 180-57-070.

(3) Notwithstanding WAC 180-18-055 and 180-51-107, subsection (2) of this section shall not be waived.

(4) The certificate of mastery shall not be a graduation requirement for students who receive home-based instruction under RCW 28A.200.101(3) nor for students attending private schools under RCW 28A.195.010(6).

ATTACHMENT D

WAC 180-51-064 Certificate of mastery -- Validity and reliability study. (1) The state board of education recognizes that a state investment in activities to verify the validity and reliability of the secondary Washington assessment of student learning for graduation purposes is critical. Therefore, the state board will work with the legislature to establish funding support for validity and reliability substantiation activities.

(2) The state board recognizes that there remain unanswered questions about the certificate of mastery. In order to facilitate the necessary dialogue to address the questions and issues, the board will establish a certificate of mastery validity and reliability advisory committee. At a minimum, the advisory committee shall include representatives from the academic achievement and accountability commission, the office of superintendent of public instruction, the public, the business community, and education stakeholder groups.

(3) The advisory committee shall examine and make recommendations to the state board of education on validity and reliability issues and conduct a review and analysis of the requirement that students obtain a certificate as a condition for high school graduation.

(4) The advisory committee shall submit to the state board a final report and recommendations not later than the board's meeting in May 2003.

(5) By the second Monday of January 2001, and no later than the second Monday of each year thereafter, the state board of education will provide to the house of representatives and senate committees on education, a progress report on the deliberations of the certificate of mastery validity and reliability advisory committee. The state board will submit any proposed policy change based on recommendations of the advisory committee to the house of representatives and senate education committees for review and comment before the change is implemented by the state board under its rule-making authority.

ATTACHMENT E

SBE CERTIFICATE OF MASTERY STUDY COMMITTEE

| COMSC MEMBER | 2000 | | | | | | | | | | | | 2001 | | | | | | | | | | | | 2002 | | | | | | | | | | | | 2003 | | | | |
|-----------------|------|---|---|---|----|----|----|---|---|---|---|---|------|---|---|---|----|----|----|---|---|---|---|---|------|---|---|---|----|----|----|---|---|---|---|---|------|--|--|--|--|
| | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 1 | 2 | 3 | 4 | 5 | | | | | |
| Androsko | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Brossoit | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Carpenter | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Clausen | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Cyr | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Densley | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Fielding | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Evans | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Frank | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Frazer | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Gainer | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Hall | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Hanson | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Hernandez | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Hurtado | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Kipp | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Koenninger | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Mayo | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| McMullen | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Mohler | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Moore | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Mullin | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Nafziger | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Patrick | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Perkins | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Pruitt | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Raichle | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Sather | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Selby | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Severson | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Shannon | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Thompson | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Vranek | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Wallace | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Wheeler | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Woldeit | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

| COMSC MEMBER NAME | | ORGANIZATION |
|-------------------|----------|---|
| LAST | FIRST | |
| Androsko | Lacey | State Board of Education, Student Representative |
| Brossoit | Nick | Superintendent, Tumwater School District |
| Bunker Frank | Phyllis | State Board of Education, Member |
| Carpenter | Linda | State Board of Education, Member |
| Clausen | Barbara | Washington Association of School Administrators (retired) |
| Cyr | Carly | State Board of Education, Student Representative |
| Densley | Terry | Washington State School Directors' Association; School Director, Wilbur School District |
| Fielding | Lynn | Washington State School Directors' Association; School Director, Kennewick School District |
| Evans | Buck | State Board of Education, Member |
| Frazer | Marc | Washington Roundtable |
| Gainer | Gary | State Board of Education, Member |
| Hall | Greg | Office of Superintendent of Public Instruction |
| Hanson | Don | Washington State Special Education Coalition |
| Hernandez | Linda | Citizen |
| Hurtado | Denny | Office of Superintendent of Public Instruction |
| Kipp | Gary | Association of Washington School Principals |
| Koenninger | Tom | State Board for Community and Technical Colleges |
| Mayo | Cheryl | Office of Superintendent of Public Instruction |
| McMullen | Bob | Association of Washington School Principals |
| Mohler | Carol | Citizen |
| Moore | Bill | State Board for Community and Technical Colleges |
| Mullin | Steve | Washington Roundtable |
| Nafziger | Rich | Workforce Training and Education Coordinating Board |
| Patrick | Patrick | Academic Achievement and Accountability Commission |
| Perkins | Christie | Washington State Special Education Coalition |
| Pruitt | Wes | Workforce Training and Education Coordinating Board |
| Raichle | Patty | Washington Education Association |
| Sather | Marv | Washington Education Association |
| Selby | Gay | Higher Education Coordinating Board |
| Severson | Laura Jo | Washington School Counselor Association |
| Shannon | Sue | Washington Education Association; Office of Superintendent of Public Instruction |
| Thompson | Chris | Academic Achievement and Accountability Commission |
| Vranek | Jennifer | Partnership for Learning |
| Wallace | Dennis | Washington Association for Career and Technical Education |
| Wheeler | Andy | Washington Alternative Learning Association |
| Woldeit | Ron | State Board of Education; citizen |

ATTACHMENT F

Evolving SBE Work Plan for Making COM "Validity and Reliability" Determination January 14, 2004

| OCTOBER 2003 | JANUARY 2004 | MARCH 2004 | MAY 2004 | JUNE 2004 |
|--|---|--|---|---|
| <p>What is the statutory charge/authority of the State Board? [what decision(s) can and cannot make?]</p> <p>How can/should the Board define "sufficiently valid and reliable?"</p> <p>Overview of the 10th Grade WASL</p> <p>Info on the percent of students meeting the standards</p> <p>Actions to notify students of the requirement</p> <p>Q&A with members of the COM Study Committee regarding the recommendations</p> <p>Greg Hall presentation</p> | <p>Presentation/Discussion of written legal perspective on the SBE's scope of decision-making authority related to the state high school assessment system linked to the EALRs</p> <p>Presentation/Discussion of perspective of the OSPI national TAC on the validity and reliability of the high school WASLs as measures of student achievement of the EALRs, Bill Mehrens</p> <p>Presentation/Discussion of personal perspective on use of the high school WASLs to meet the statutory COM graduation requirement, Bill Mehrens</p> <p>SBE discussion of the MAY 2003 Report from the Board's COM Study Committee</p> <p>Presentation/Discussion of the WASL technical reports, Cathy Taylor</p> | <p>Review evidence related to curricular validity</p> <p>Review evidence related to instructional validity</p> <p>Status of action taken by the 2004 Legislature on: Funding retakes, etc.</p> <p>Review cut score study and work effort by OSPI and cut score decision of A+ Commission (if available)</p> <p>Review WAAS technical reports</p> <p>Review SPED/ELL Task Force report and recommendations</p> <p>Review work-to-date on development of an alternate WASL (equal in rigor to the WASLs)</p> <p>Public comments (restricted to the SBE's legal scope of decision-making authority)</p> | <p>Presentation on the major findings of the Board's deliberations</p> <p>Discussion of major findings</p> <p>Discussion of policy options</p> <p>Public testimony on the options</p> <p>Preliminary decision on how the SBE will define "sufficiently reliable and valid"</p> <p>Preliminary decision on the sufficiency of reliability and validity of the high school assessment system</p> <p><u>Note:</u> Widely distribute the preliminary decision after the meeting</p> | <p>Review public comments/feed-back on preliminary decision</p> <p>Public comment</p> <p>Board makes a decision</p> |

ATTACHMENT G

**Final Report
of the
Certificate of Mastery
Study Committee**

Presented to the
State Board of Education

by

Gary Gainer, Chair
COM Study Committee
(On behalf of the COM Study Committee)

May 21, 2003

May 21, 2003

Bobbie May, President
State Board of Education
P.O. Box 47206
Olympia, Washington 98504-7206

RE: Final Report of the Certificate of Mastery Study Committee

Dear Bobbie:

On behalf of the Certificate of Mastery Study Committee (COMSC), I am pleased to present this Final Report to the State Board of Education.

I commend, applaud, and thank the members of the committee who have hung in there nearly three years; confronted with a challenging topic, a lot of dialogue, and many presentations from assessment experts. The journey had its inherent joys and frustrations, to be expected given the complexity of the public policy issue (s). It has not been an easy road to travel. The public service performed by the committee members has been outstanding. I cannot thank them enough for their time, commitment, patience, and humor.

The ongoing education reform challenge before the State Board of Education, the Legislature, the education community—including students, and the citizens and businesses of Washington is complex in its simplicity. While it is clear the state has realized much progress since the 1993 passage of HB 1209 (The Improvement of Education Act) -- system changes have been made and continue to be made resulting in improved student achievement -- the voyage is by no means finished.

Bobbie May
May 21, 2003
Page Two

The committee's work is complete, but the work is not yet done. The baton is now passed to the Board. Your task is no less easy because of the committee's journey, but it may be more focused due to that journey. I entrust this final report to you with the confidence that the Board will be duly thoughtful in moving forward on the path of enhancing the learning and performance experiences of all Washington students. In moving onward, I encourage the Board to maintain contact with the COM Study Committee members and take advantage of their collective perspectives, experiences, and expertise.

I thank you for the opportunity and privilege of chairing the Certificate of Mastery Study Committee.

In gratitude,

Gary Gainer, Chair
COM Study Committee

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 ~~[deleted; see Appendix A of 2004 annual report: pages 15-16]~~

B WAC 180-51-064 Certificate of mastery—Validity --
 and reliability study
 ~~[deleted; see Appendix B of 2004 annual report: page 17]~~

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BACKGROUND

In 1993, the Legislature passed the Improvement of Student Achievement Act (E2SHB 1209). The law states, in part:

"After a determination is made by the state board of education that the high school assessment system has been implemented and that it is sufficiently reliable and valid, successful completion of the high school assessment shall lead to a certificate of mastery. The certificate of mastery shall be obtained by most students at about the age of sixteen, and is evidence that the student has successfully mastered the essential academic learning requirements during his or her educational career. The certificate of mastery shall be required for graduation but shall not be the only requirement for graduation."

RCW 28A.655.060(3)(c)

The former Commission on Student Learning submitted to the legislative education committees in 1997, a report titled, Recommendations on the Washington Certificate of Mastery. The report was developed by the Commission's Certificate of Mastery Ad Hoc Committee. The committee recommended formal implementation of the Certificate of Mastery (COM) beginning with the graduating Class of 2006. (Copies available upon request to the State Board of Education office.)

Legislation was introduced in 1999, to establish in law that the Certificate of Mastery be formally required for graduation beginning with the senior Class of 2008. The bill did not pass. As a result of dialogue with key legislators, the State Board indicated that it could and would use its rule-making authority to set a target effective date for the Certificate of Mastery.

In January 2000, the State Board of Education adopted a rule establishing 2008 as the target first graduating class that will have to possess the COM in order to receive a diploma and graduate. (See **Appendix A**. WAC 180-51-063.) At the same time, the Board adopted another rule creating the Certificate of Mastery Study Committee (COMSC). (See **Appendix B**. WAC 180-51-064.) (See **Appendix C** for ending membership list. See **Appendix D** for committee membership history.)

In adopting WAC 180-51-064, the State Board of Education committed to providing annually to the legislative education committees an annual January status report on the work of the COM Study Committee. Copies of the reports are on the State Board's website (www.sbe.wa.gov).

original COM Study Committee members were appointed in late May 2000, by then State Board President Linda Carpenter. State Board member Gary Gainer was appointed as the committee chair. Gainer chose in October 2002 not to seek another term on the State Board. However, with the support of the Board and agreement by Mr. Gainer, current Board President Bobbie May asked him to continue to serve as chair of the COM Study Committee until he retired in early May 2003. The COM Study Committee met a total of 20 times during its nearly three years study effort (June 30, 2000 through May 8, 2003).

Committee Mission

Examine and make recommendations to the State Board of Education on validity and reliability issues and conduct a review and analysis of the requirement that students obtain a certificate (of mastery) as a condition for high school graduation.

Committee Work Goals¹

1. Make a recommendation to the State Board of Education about the validity and reliability of the secondary Washington Assessment of Student Learning (WASL).¹
2. Make recommendations to the State Board of Education regarding an evaluation of the readiness of the system to support the secondary WASL as a graduation requirement.²
3. Make recommendations to the State Board of Education regarding what to do for students who do not and cannot pass the secondary WASL.

Committee Timeline

The committee's final date for submitting findings and recommendations to the State Board is May 2003. The State Board has set a date of not later than mid-2004 to make its declaratory determination.

¹At its March 27, 2003 meeting, the COM Study Committee decided to divide Goal 1 into 1A and 1B, focusing respectively on validity (1A) and reliability (1B).

²At its March 27, 2003 meeting, the COM Study Committee decided to divide Goal 2 into 2A and 2B, focusing respectively on a legal analysis of the system (2A) and a fairness analysis of the system (2B).

Included in the 2003 annual report to the Legislature are the following definitions for “Validity” and “Reliability”:

Validity is the extent to which an assessment/test measures what it is supposed to measure, as well as the extent to which inferences and actions based on the assessment/test scores are appropriate and accurate. [NOTE: Validity has different connotations for different types of assessments/ tests. Different kinds of validity evidence are appropriate for each. Example: Content validity is a question of the match and balance between the test items (i.e., the questions) and the course content (i.e., the EALRs being assessed.)]

Reliability is the degree to which the results of an assessment are dependable (i.e., relatively free from random errors of measurement) and consistently measure particular student knowledge and/or skills. Reliability defines the extent to which standard errors of measurement are absent from a measurement instrument. Reliability is usually expressed in the form of a reliability coefficient (or as the standard error of measurement derived from it). The higher the reliability coefficient the better, because this means there are smaller random errors in the scores. A test (or a set of test scores) with a reliability of 1.00 would have a standard error of zero and thus be perfectly reliable. No test is perfectly reliable. The judgment about reliability is whether the scores are sufficiently reliable given the context (e.g., if retake opportunities are available). An unreliable assessment cannot be valid. An invalid assessment can be reliable; however, it provides no useful information.

The COM Study Committee was fortunate to obtain the research support of Catherine Hardison, a law student at Seattle University. Ms. Hardison research and developed a report on high stakes testing issues and the experience of selected states.

The State Board and COMSC were further supported by the 1991 Legislature and inclusion of \$100,000 in the state operating budget to support the work of the committee. As a result, in October 2001, the State Board entered into a contract with Educational Service District No. 101 (Spokane). In turn, ESD 101 hired Mr. Geoff Praeger (at the time a recently retired, 30-years school district level assessment director) to develop, administer, and analyze the results of an Opportunity To Learn survey. The purpose of the survey was to generate a snapshot data and evidence relating to the readiness of the K-12 system to provide all students the opportunities they need to learn the Essential Academic Learning Requirements (EALRs) before taking the high school WASLs to meet the Certificate of Mastery state graduation requirement. Mr. Praeger involved the COM Study Committee and the State Board of Education in the survey development process.

In addition to the research support by Ms. Hardison and Mr. Praeger, the committee benefited from a number of presentations during its nearly three years duration, including presentations and/or discussions with:

- Dr. Rosemary Fitton, OSPI, reviewed the basics of validity and reliability issues.
- Dr. Catherine Taylor, University of Washington, appeared before the committee three times, presenting on: setting cut-scores and performance standards; and the technical validity and reliability of the high school WASLs.
- Greg Hall, Assistant Superintendent for Assessment, OSPI, shared the history of education reform and high stakes testing in Alberta, Canada; and also shared the preliminary results from the WASL retakes pilot project in the North Thurston School District.
- Dr. Thomas Haladyna, Professor of Educational Psychology, Arizona State University-West, made a presentation on accountability, uses of high-stakes test scores, legal defensibility and validity, and opportunity-to-learn.
- Dr. Patricia Almond, Oregon Department of Education, who spoke to the committee about Oregon's approach to alternative assessments.
- Superintendent of Public Instruction Dr. Terry Bergeson provided the committee a brief history on different ways to look at performance.
- Mr. Robert Butts, Policy and Partnerships, OSPI, led a discussion on using incentives to promote the high school WASL until it becomes a formal graduation requirement.
- Dr. William Mehrens and Dr. Joseph Ryan, members of the national Technical Advisory Committee to the State Superintendent, dialogued with the committee on assessment issues.
- Conference call with Kathy Christie, Vice President for Information Management and ECS Clearinghouse, on high stakes graduation testing in other states.
- Steve Mullin, Vice President, Washington Roundtable, and COMSC member, shared information about incentives used in Oregon relating to that state's Certificate of Initial Mastery (CIM) and Certificate of Advanced Mastery (CAM).
- Dialogue with UCLA Professor Emeritus Dr. W. James Popham on assessment issues. (8/15/02)
- Nancy Skeritt, Director of Curriculum and Instruction, Tahoma School District, shared a district perspective on assessment validity. (11/19/02)
- Dr. Joe Willhoft, Director of Assessment, Tacoma School District, shared a district perspective on assessment reliability. (11/19/02)
- Dr. John Brickell, Research Specialist, Washington Education Association, twice shared a summary of research and evidence relating to assessment validity and reliability.

The summary of lessons learned from all this activity is perhaps best captured in the 2003 progress report to the Legislature:

"What has the Certificate of Mastery Study Committee learned? Among the learnings are that at the state level there are concerns and questions about the number of EALRs and scoring of the WASL assessment. Likewise, there are differences in the understanding, awareness, and readiness of our state's schools to support the Certificate of Mastery as a graduation requirement. While the State Superintendent's office has experts working on the EALRs and WASL assessment issues, the COM Study Committee has assigned a significant portion of its work to the development and distribution of a credible survey instrument to elicit information from 16 different subgroups of the education system about implementation of state reforms in our schools. It is intended that the survey be repeated over time. While students will be held accountable for demonstrating their learning, we do not want our students to bear the burden of accountability for the system.

GOAL 1A

Make a recommendation to the State Board of Education about the validity of the secondary Washington Assessments of Student Learning (WASLs).

POSITION 1

Barb Clausen, Lynn Fielding, Phyllis Bunker Frank, Gary Gainer, Greg Hall, Gary Kipp,
Bob McMullen, Carol Mohler, Bill Moore, Steve Mullin, Wes Pruitt,
Marv Sather, Gay Selby, Chris Thompson, Jennifer Vranek

Based on evidence of alignment between the Essential Academic Learning Requirements (EALRs) and assessment provided by the test's publisher, researchers from the University of Washington, and independent research studies conducted on the mathematics assessments for grades 4, 7 and 10, this body of evidence indicates a very strong alignment between the EALRs and the WASL.

We believe that the WASL, for the purpose of graduation, is sufficiently valid in reading, math, and writing. We expect that validity will improve as monitoring occurs and continuing refinements are made; such as:

- Ongoing adherence to the American Educational Research Association (AERA) high-stakes testing guidelines for implementation (curriculum alignment of WASL/EALRs)
- Lengthening the listening WASL
- Identifying the grade level content expectations that will be eligible to be assessed on the WASL.

POSITION 2

Nick Brossoit, Christie Perkins, Laura Jo Severson,
Dennis Wallace, Andy Wheeler, Ron Woldeit

The test may be valid for some students. We are concerned that it is not valid for all students. We recommend that additional work be done in all aspects of validity.

POSITION 3

Nick Brossoit, Christie Perkins, Patty Raichle,
Laura Jo Severson, Andy Wheeler, Ron Woldeit

While certain inferences from a test may be validly drawn for some groups of students but not for others, any test that is being used for high stakes decisions for all students must be proven to make valid inferences for all students.

There are different kinds of validity, and adequacy must be demonstrated separately for each kind. Testing experts agree that tests must be valid for each purpose for which they are used. If a test is being used to determine mastery of math, can we validly assume that a student who passes the test knows math, knows the kinds of math expected to be mastered, and has mastered that math at the expected level of performance? If the test is being used to determine whether a student should graduate from high school, can we validly assume that a student who passes the test knows the right information at the right level of performance for success after high school?

Content validity research conducted by OSPI has determined that the 10th grade WASL generally matches the 10th grade EALRs. However, this determination is challenged by outside research. The Fall 2002 report from the Stanford Research Institute raises questions about the match of the Math test items to the 10th grade math EALRs, test coverage of all 10th grade Math EALRs, and appropriate levels of difficulty. These issues point out serious concerns about the content validity of the 10th grade Math WASL. Corrections and follow-up research need to occur before the State Board can determine the content validity of the Math WASL. Obviously, similar research needs to be conducted on the other three WASL-tested areas.

Additional questions are raised by the fact that no one has conducted research into the content-related evidence of the valid use of the 10th grade WASLs for the purpose of high school diploma decisions. In the absence of such research, we are unable to determine that these tests correctly contribute to a defensible decision to award a high school diploma. Furthermore, no research has been conducted into the predictive validity of the 10th grade WASL, according to OSPI's national technical advisory committee, and OSPI cannot back up any claims that WASL scores predict anything. We also are concerned about the lack of research into consequent validity—are the uses and interpretations of the scores contributing to enhanced student achievement and, at the same time, not producing unintended negative outcomes.

Lacking this information, we cannot recommend to the State Board of Education at this time that the 10th grade WASL is valid for the purpose of conferring or denying a high school diploma.

GOAL 1B

Make a recommendation to the State Board of Education about the reliability of the secondary Washington Assessments of Student Learning (WASLs).

POSITION 1

Barb Clausen, Lynn Fielding, Phyllis Bunker Frank, Gary Gainer, Greg Hall, Gary Kipp,
Bob McMullen, Carol Mohler, Steve Mullin, Wes Pruitt,
Marv Sather, Gay Selby, Chris Thompson, Jennifer Vranek

Based upon the reliability coefficient as published in the technical report produced by University of Washington contract and published by the Office of Superintendent of Public Instruction (OSPI), we believe that the WASL is sufficiently reliable as an assessment tool in reading, math, and writing. However, to increase the reliability of the graduation decision, the following steps need to be taken:

- Retakes for all four areas (reading, mathematics, writing, listening)
- Writing double-scored
- Reconsideration of cut-scores for decision-making in 10th grade as a graduation requirement in reading, math, listening, and writing.

POSITION 2

Nick Brossoit, Christie Perkins, Laura Jo Severson,
Dennis Wallace, Andy Wheeler, Ron Woldeit

The test may be a reliable measurement for some students. We are concerned that it is not reliable for all students. We recommend additional work be done in this area.

POSITION 3

Nick Brossoit, Christie Perkins, Patty Raichle, Laura Jo Severson,
Dennis Wallace, Andy Wheeler, Ron Woldeit

While a test may give reliable scores for a unique group of students, it must be proven to give reliable scores for all students if it is going to be used to make high stakes decisions about all students.

Reliability can vary from .0 (meaning that the results are entirely based upon chance) to 1.0 (meaning the score is not based on chance at all). Tests that are used for different purposes need to meet differing standards of reliability. If a test is used to make group decisions (a school is performing well over-all), then a lower reliability is sufficient.

This is because the accumulation of many scores averages out chance as a factor for the final determination of the group's level of accomplishment. However, if a test is used to make a high stakes decision for an individual, testing experts agree the standard for reliability must be much higher. Generally, a reliability of .50 to .60 is acceptable to evaluate the level of group accomplishment. To evaluate the level of individual accomplishment, the reliability should be at least .94.

The Certificate of Mastery Committee now has technical data for the tenth grade WASL from the 1999, 2000, and 2001 administrations. We do not yet have data from the 2002 administration. The trend data shows that the reliability of the different sections of the test vary from each other as well as from year to year. None of the tests reaches the .94 level of reliability.

Based on the information we have for 2001, the 10th grade Listening test (.77 reliability) and Writing test (.81 reliability) are clearly not meeting the necessary standard of reliability for individual decisions.

The 2001 Math test is very close to the necessary level of reliability at .92, although the reliability dropped in 2000 and continues to be lower than in 1999. The reliability for the 2001 Reading test is marginal at .90 and is lower than in 1999.

In the absence of further data, we can conclude that the scoring of only the 10th grade Math and Reading WASLs approximates the necessary standard of reliability for individual high-stakes decisions. Neither of the others meets the standard. OSPI is planning some adjustments to its testing processes (double scoring for Writing; lengthening the test for Listening), but we have no data yet to show us that these “fixes” have increased the reliability of these tests to acceptable levels.

In the absence of sufficient data, we can only conclude that additional information is necessary to determine the reliability of all but the 10th grade Math WASL.

In conclusion for both 1A and 1B, there is conflicting expert opinion as to the extent to which the 10th grade WASL is sufficiently valid and reliable for purposes of awarding the COM and the high school diploma. Clearly, the WASL is reliable as a systems indicator for curriculum and program assessment. However, it does not yet meet the technical standards necessary to be used as the tool to make high stakes decisions for individual students. Furthermore, the most vital issue to be resolved is the 10th grade WASL’s validity for the purpose of making graduation decisions. The technical level of reliability is meaningless unless we know that the test is reliably assessing what is essential for all high school graduates to know.

Therefore, more work needs to be done in the next year to resolve these issues before the State Board can make a recommendation with any confidence as to the appropriate use of this test for student graduation decisions.

GOAL 2A

Make recommendations to the State Board of Education regarding a legal analysis of the readiness of the system to support the secondary WASLs as a graduation requirement.

POSITION 1

Barb Clausen, Lynn Fielding, Phyllis Bunker Frank, Gary Gainer, Greg Hall, Gary Kipp, Bob McMullen, Carol Mohler, Bill Moore, Steve Mullin, Wes Pruitt, Marv Sather, Gay Selby, Chris Thompson, Jennifer Vranek

Based on a variety of federal and state legal precedents from cases in states as diverse as California, Florida, Indiana, Louisiana, Massachusetts, and Texas, we believe that the WASL as a graduation requirement will withstand legal challenges, provided the following conditions are met:

- Adequate notice of requirement is given (met)
- Multiple retakes are provided (not met)
- Academic help is available
- Insure alignment between taught and tested curriculum
- Demonstrate that tests are necessary to education reform (met)

POSITION 2

Nick Brossoit, Christie Perkins, Patty Raichle, Laura Jo Severson, Dennis Wallace, Andy Wheeler, Ron Woldeit

Currently, the system is not ready from a legal perspective. However, if the right conditions are met it could be legally ready. See the legal defense list provided by the OSPI COM Advisory Committee, and seek additional legal experts from independent and diverse viewpoints. Consider list/issues from the Position 1 group.

GOAL 2B

Make recommendations to the State Board of Education regarding a fairness analysis of the readiness of the system to support the secondary WASLs as a graduation requirement.

POSITION 1

Barb Clausen, Lynn Fielding, Phyllis Bunker Frank, Gary Gainer, Greg Hall, Gary Kipp, Bob McMullen, Carol Mohler, Bill Moore, Steve Mullin, Wes Pruitt, Gay Selby, Chris Thompson, Jennifer Vranek

Because fairness resides in the consistent and objective manner in which the requirement would be applied to all students, we believe that the system will be sufficiently fair. The system promises to become more fair by addressing the following issues:

Statewide Assessment System:

- Alternate measures of assessment with the same standards
- Clear and uniform test administration guidelines
- Retake opportunities
- Articulated cut-scores
- Limited right of appeals for diligent students

Fairness will be maximized by addressing Opportunity To Learn (OTL)* issues such as:

- Teacher readiness and effectiveness
- Early childhood development of numeracy and literacy skills
- Timely supplemental learning opportunities
- Aligned instructional materials
- Instructional leadership
- Notice on student progress on the standards

*Recommended to help ALL students meet standards, but not essential for the WASL as a graduation requirement.

POSITION 2

Nick Brossoit, Phyllis Bunker Frank, Christie Perkins, Marv Sather, Laura Jo Severson, Dennis Wallace, Andy Wheeler, Ron Woldeit

Currently, the system is not fair for all students. The following need to be addressed:

- Teacher readiness, support, and training
- Revisit and refine the EALRs
- Equity and adequacy of resource issues. (Disaggregated groups should all show improvement.)
- Enhance effectiveness of educational leadership
- Recognition and alternatives for diverse learning needs/styles
- Appeals process
- Diagnostics and remediation for both individuals and the system

POSITION 3

Nick Brossoit, Phyllis Bunker Frank, Christie Perkins, Patty Raichle, Marv Sather,
Laura Jo Severson, Dennis Wallace, Andy Wheeler, Ron Woldeit

Currently the system is not fair for all students. It is critical that all of the following conditions be addressed successfully prior to the implementation of the COM as a graduation requirement. We recommend that the Certificate of Mastery not become a diploma requirement until all of these conditions are in place.

1. Research-based blended compensatory scoring model (similar to the SAT)
2. Multiple re-takes
3. Alternative methods of assessing what students know and can do
4. Assessment accommodations/modifications based upon IEP needs
5. EALR-focused support continuing beyond one year for English Language Learners (and other special needs populations)
6. Systems readiness (and capacity) that provides equal opportunity to learn for all students. This requires:
 - a. Funding alignment with performance-based learning needs
 - b. Ongoing professional development for teachers, administrators, paraeducators, and school directors
 - c. Curriculum, instruction, assessment, and instructional materials alignment
 - d. Performance-based authority and management alignment for performance-based learning organization (policy and contract matters, communication processes, etc)
 - e. Reducing barriers to learning, such as poor health, alcoholism, homelessness, etc., through interagency collaborations
 - f. A safe, learning environment that provides knowing, advocating, and modeling for students
7. Revisit, reduce and prioritize the EALRS to identify the ones that should be tested at the state level
8. Review cut scores and reset as necessary, according to recommendations from the SRI Report
9. Ensure equity and adequacy of resources so that all disaggregated groups show improvements
10. Enhance effectiveness of educational leadership
11. Provide diagnostics and remediation for both individual students and the system
12. Provide clear test administration guidelines
13. Design an appeals process and explore the concept of differentiated test administration dates based on student readiness
14. Provide appropriate notice to students and parents of student progress

GOAL 3

Make recommendations to the State Board of Education regarding what to do for students who do not and cannot pass the secondary WASLs.

SUPPORTED BY:

Nick Brossoit, Barbara Clausen, Lynn Fielding, Phyllis Bunker Frank, Gary Gainer, Greg Hall, Gary Kipp, Bob McMullen, Carol Mohler, Bill Moore, Steve Mullin, Christie Perkins, Wes Pruitt, Patty Raichle, Marv Sather, Gay Selby, Laura Jo Severson, Chris Thompson, Dennis Wallace, Andy Wheeler, Ron Woldeit, Jennifer Vranek

A. Establish a formal group at OSPI and/or SBE, representative of state stakeholders, that is ongoing and reports regularly to the SBE, OSPI, and other relevant stakeholder groups. The group should focus its work around three questions:

1. What are the reasons some students do not meet standard as measured by the WASLs?
2. What student groups need to be specifically addressed and how? (e.g., disabilities, ELL, immigrants, and students struggling to meet standards)
3. What can/should the state do for non-test passers? (e.g., alternate credentials; programs, including career and technical education)

The work needed to answer these questions might be done through:

- Current or new committees created to support the formal group, and which committees are representative of stakeholders
- Empirical studies
- Other

B. Particular attention must be paid to the development of an alternate measure for students to demonstrate the WASL standards.

C. The SBE should investigate ways of recognizing the educational accomplishments of students who do not meet the 10th grade WASL requirements.

- Particularly, attention must be paid to the development of an alternate measure for students to demonstrate the standards (WASL).
- We recommend that the SBE investigate multiple methods of recognizing achievement (educational accomplishments) for students who do meet the 10th grade WASL requirements.

APPENDIX E

POSITION STATEMENT CONCERNING HIGH-STAKES TESTING IN PREK-12 EDUCATION

Adopted July 2000

The American Educational Research Association (AERA) is the nation's largest professional organization devoted to the scientific study of education. The AERA seeks to promote educational policies and practices that credible scientific research has shown to be beneficial, and to discourage those found to have negative effects. From time to time, the AERA issues statements setting forth its research-based position on educational issues of public concern. One such current issue is the increasing use of high-stakes tests as instruments of educational policy.

This position statement on high-stakes testing is based on the 1999 *Standards for Educational and Psychological Testing*. The *Standards* represent a professional consensus concerning sound and appropriate test use in education and psychology. They are sponsored and endorsed by the AERA together with the American Psychological Association (APA) and the National Council on Measurement in Education (NCME). This statement is intended as a guide and a caution to policy makers, testing professionals, and test users involved in high-stakes testing programs. However, the *Standards* remain the most comprehensive and authoritative statement by the AERA concerning appropriate test use and interpretation.

Many states and school districts mandate testing programs to gather data about student achievement over time and to hold schools and students accountable. Certain uses of achievement test results are termed "high stakes" if they carry serious consequences for students or for educators. Schools may be judged according to the school-wide average scores of their students. High school-wide scores may bring public praise or financial rewards; low scores may bring public embarrassment or heavy sanctions. For individual students, high scores may bring a special diploma attesting to exceptional academic accomplishment; low scores may result in students being held back in grade or denied a high school diploma.

These various high-stakes testing applications are enacted by policy makers with the intention of improving education. For example, it is hoped that setting high standards of achievement will inspire greater effort on the part of students, teachers, and educational administrators. Reporting of test results may also be beneficial in directing public attention to gross achievement disparities among schools or among student groups. However, if high-stakes testing programs are implemented in circumstances where educational resources are inadequate or where tests lack sufficient reliability and validity for their intended purposes, there is potential for serious harm.

Policy makers and the public may be misled by spurious test score increases unrelated to any fundamental educational improvement; students may be placed at increased risk of educational failure and dropping out; teachers may be blamed or punished for inequitable resources over which they have no control; and curriculum and instruction may be severely distorted if high test scores per se, rather than learning, become the overriding goal of classroom instruction.

This statement sets forth a set of conditions essential to sound implementation of high-stakes educational testing programs. It is the position of the AERA that every high-stakes achievement testing program in education should meet all of the following conditions:

Protection Against High-Stakes Decisions Based on a Single Test

Decisions that affect individual students' life chances or educational opportunities should not be made on the basis of test scores alone. Other relevant information should be taken into account to enhance the overall validity of such decisions. As a minimum assurance of fairness, when tests are used as part of making high-stakes decisions for individual students such as promotion to the next grade or high school graduation, students must be afforded multiple opportunities to pass the test. More importantly, when there is credible evidence that a test score may not adequately reflect a student's true proficiency, alternative acceptable means should be provided by which to demonstrate attainment of the tested standards.

Adequate Resources and Opportunity to Learn

When content standards and associated tests are introduced as a reform to change and thereby improve current practice, opportunities to access appropriate materials and retraining consistent with the intended changes should be provided before schools, teachers, or students are sanctioned for failing to meet the new standards. In particular, when testing is used for individual student accountability or certification, students must have had a meaningful opportunity to learn the tested content and cognitive processes. Thus, it must be shown that the tested content has been incorporated into the curriculum, materials, and instruction students are provided before high-stakes consequences are imposed for failing examination.

Validation for Each Separate Intended Use

Tests valid for one use may be invalid for another. Each separate use of a high-stakes test, for individual certification, for school evaluation, for curricular improvement, for increasing student motivation, or for other uses requires a separate evaluation of the strengths and limitations of both the testing program and the test itself.

Full Disclosure of Likely Negative Consequences of High-Stakes Testing Programs

Where credible scientific evidence suggests that a given type of testing program is likely to have negative side effects, test developers and users should make a serious effort to explain these possible effects to policy makers.

Alignment Between the Test and the Curriculum

Both the content of the test and the cognitive processes engaged in taking the test should adequately represent the curriculum. High-stakes tests should not be limited to that portion of the relevant curriculum that is easiest to measure. When testing is for school accountability or to influence the curriculum, the test should be aligned with the curriculum as set forth in standards documents representing intended goals of instruction. Because high-stakes testing inevitably creates incentives for inappropriate methods of test preparation, multiple test forms should be used or new test forms should be introduced on a regular basis, to avoid a narrowing of the curriculum toward just the content sampled on a particular form.

Validity of Passing Scores and Achievement Levels

When testing programs use specific scores to determine "passing" or to define reporting categories like "proficient," the validity of these specific scores must be established in addition to demonstrating the representativeness of the test content. To begin with, the purpose and meaning of passing scores or achievement levels must be clearly stated. There is often confusion, for example, among minimum competency levels (traditionally required for grade-to-grade promotion), grade level (traditionally defined as a range of scores around the national average on standardized tests), and "world-class" standards (set at the top of the distribution, anywhere from the 70th to the 99th percentile). Once the purpose is clearly established, sound and appropriate procedures must be followed in setting passing scores or proficiency levels. Finally, validity evidence must be gathered and reported, consistent with the stated purpose.

Opportunities for Meaningful Remediation for Examinees Who Fail High-Stakes Tests

Examinees who fail a high-stakes test should be provided meaningful opportunities for remediation. Remediation should focus on the knowledge and skills the test is intended to address, not just the test performance itself. There should be sufficient time before retaking the test to assure that students have time to remedy any weaknesses discovered.

Appropriate Attention to Language Differences Among Examinees

If a student lacks mastery of the language in which a test is given, then that test becomes, in part, a test of language proficiency. Unless a primary purpose of a test is to evaluate language proficiency, it should not be used with students who cannot understand the instructions or the language of the test itself. If English language learners are tested in English, their performance should be interpreted in the light of their language proficiency. Special accommodations for English language learners may be necessary to obtain valid scores.

Appropriate Attention to Students with Disabilities

In testing individuals with disabilities, steps should be taken to ensure that the test score inferences accurately reflect the intended construct rather than any disabilities and their associated characteristics extraneous to the intent of the measurement.

Careful Adherence to Explicit Rules for Determining Which Students Are to be Tested

When schools, districts, or other administrative units are compared to one another or when changes in scores are tracked over time, there must be explicit policies specifying which students are to be tested and under what circumstances students may be exempted from testing. Such policies must be uniformly enforced to assure the validity of score comparisons. In addition, reporting of test score results should accurately portray the percentage of students exempted.

Sufficient Reliability for Each Intended Use

Reliability refers to the accuracy or precision of test scores. It must be shown that scores reported for individuals or for schools are sufficiently accurate to support each intended interpretation. Accuracy should be examined for the scores actually used. For example, information about the reliability of raw scores may not adequately describe the accuracy of percentiles; information about the reliability of school means may be insufficient if scores for subgroups are also used in reaching decisions about schools.

Ongoing Evaluation of Intended and Unintended Effects of High-Stakes Testing

With any high-stakes testing program, ongoing evaluation of both intended and unintended consequences is essential. In most cases, the governmental body that mandates the test should also provide resources for a continuing program of research and for dissemination of research findings concerning both the positive and the negative effects of the testing program.

ATTACHMENT H

OSPI FY 2004 Supplemental Operating Budget Request (in part)

I. Short Description

In the spring of 2008, Washington State students will graduate only if they have met state learning standards in reading, writing, and mathematics on the Washington Assessment of Student Learning (WASL) or through an alternative assessment. The Class of 2008 will take the WASL as 10th graders in the spring of 2006. Several crucial components to our education system must be added by 2006 in order to successfully implement this high-stakes assessment as a graduation requirement.

This decision package addresses three new components that must be added to our assessment system to augment the 10th grade WASL. The first is an opportunity for students to re-take the WASL when they have not met standards; second is an opportunity for students to demonstrate mastery of our education standards by an alternate method when a standardized assessment is a barrier to demonstrating their mastery of education standards; and third are reviews for reading, writing, and science to determine whether or not our assessment items are aligned with our learning standards, and a review of our "cut scores" which determine whether or not a student meets standard. Without these three assessment components in place by 2006, our graduation requirement will not likely withstand court challenges. Without appropriations in the 2003-05 biennium, the Office of Superintendent of Public Instruction (OSPI) cannot have robust assessment alternatives in place in time for the Class of 2008.

II. Fiscal Detail---Estimates

| 1. Operating Expenditures | | FY 2004 | FY 2005 | Total |
|--------------------------------------|------|-----------------|--------------------|--------------------|
| Assessment Re-takes**** | GF-S | 0 | \$387,732 | \$387,732 |
| Cut Score Review | GF-S | 0 | \$99,411 | \$99,411 |
| Alignment Reviews Writing/Reading | GF-S | 0 | \$300,000 | \$300,000 |
| Norm-Referenced Test Reporting | GF-S | \$20,000 | \$20,000 | \$40,000 |
| Alternate Assessment Development | GF-S | \$33,094 | \$339,273 | \$372,367 |
| Total Cost | | \$53,094 | \$1,126,416 | \$1,179,510 |

| 2. Staffing | | FY 2004 | | FY 2005 | | Total | |
|-----------------------|------------------------------|----------------|-----------------|----------------|------------------|--------------|------------------|
| Juris. | Job Class. (Range/Step) | FTE | Salary | FTE | Salary | FTE | Salary |
| AA | Secretary Admin. | .20 | \$8,000 | 1.0 | 40,000 | .60 | \$48,000 |
| AC | Alternate Assessment Spec | .20 | \$14,400 | 1.0 | 72,000 | .60 | \$86,400 |
| Total Staffing | | .40 | \$22,400 | 2.0 | \$112,000 | 1.20 | \$134,400 |

| 3. Object Detail | FY 2004 | FY 2005 | Total |
|---------------------------|-----------------|--------------------|--------------------|
| Salary and Wages | 22,400 | 112,000 | \$134,400 |
| Employee Benefits | 4,694 | 23,468 | 28,162 |
| Contracts | 20,000 | 761,065 | 781,065 |
| Supplies and Materials | 6,000 | 140,932 | 146,932 |
| Travel | 0 | 52,951 | 52,951 |
| Capital Outlay | 0 | 0 | 0 |
| Grants | 0 | 36,000 | 36,000 |
| Interagency Reimbursement | 0 | 0 | 0 |
| Total Objects | \$53,094 | \$1,126,416 | \$1,179,510 |

***The cost displayed here for assessment re-takes is incomplete. OSPI is currently negotiating a five-year contract for the development and administration of the WASL. Until this contract is fully negotiated in late October, a budget request cannot be finalized.

III. Narrative Justification and Impact Statement

Description of Request

Re-takes

National experts attest that in order to successfully implement a graduation requirement tied to a high-stakes assessment, students must be given multiple opportunities to take the assessment and meet standards. Most experts settle on four opportunities as a minimum, and six opportunities as an ideal. This proposal is to begin phasing in re-take opportunities so that students not meeting all standards on their first attempt have a total of five additional opportunities prior to graduation in June 2008.

The table below displays the multiple opportunities available as the system is phased in. To provide five opportunities, we must add opportunities each fall. New fall opportunities require that OSPI develop additional test forms. Developing the test forms, primarily developing and piloting items, requires beginning in FY 2004 in order to be ready for the fall of 2006. (OSPI is exploring whether the "fall" opportunity will take place in August or September.)

| Class Of: | <u>Spring '04</u> | FY 2005 | | FY 2006 | | FY 2007 | | FY 2008 | | FY 2009 | | <u>Fall '09</u> | Total # <u>Re-takes</u> |
|-----------|-------------------|-----------------|-------------------|-----------------|-------------------|-----------------|-------------------|-----------------|-------------------|-----------------|-------------------|-----------------|----------------------------|
| | | <u>Fall '04</u> | <u>Spring '05</u> | <u>Fall '05</u> | <u>Spring '06</u> | <u>Fall '06</u> | <u>Spring '07</u> | <u>Fall '07</u> | <u>Spring '08</u> | <u>Fall '08</u> | <u>Spring '09</u> | | |
| | | | | | | | | | | | | | |
| 2006 | 10th | | 11th | | 12th | 12th | | | | | | | 3 |
| 2007 | | 10th | | 11th | 12th | 12th | 12th | | | | | | 4 |
| 2008 | | | | 10th | 11th | 11th | 12th | 12th | 12th | | | | 5 |
| 2009 | | | | | | 10th | 11th | 11th | 12th | 12th | 12th | | 5 |

Shading indicates re-take availability.

Alternate Means to Demonstrate Mastery of Education Standards

Some students will not be able to demonstrate that they have met all learning standards on a standardized assessment format. National experts tell us that in some cases the format is intimidating or the standardized assessment presents a different barrier. But in any case, an alternate format to assess students' mastery or an appeal process must be made available in order to successfully implement an assessment as a graduation requirement. An alternate format must measure the same standards and essential learnings and have the same rigor as our standardized WASL. There are also significant policy issues to define; for instance, how to ensure that an alternate assessment represents a student's work only and what a teacher/advisor can and cannot provide in the way of assistance.

At this time, the Superintendent anticipates requiring that students attempt to demonstrate readiness for graduation twice via the standardized assessment before they can pursue an alternate means of assessment. Therefore, an alternate assessment must be in place for the Class of 2008 by January 2007 (the 2nd semester of their 11th grade year). By this point, students may have attempted the WASL on two occasions, and some will choose to begin an alternate means of demonstrating they meet state standards.

In December 2003, OSPI will design, with the help of national experts and a review of other states, three options for an alternative assessment system. These options will be presented to the legislature in January 2004. Once the legislature provides funds for the full development or design of one or more systems, OSPI will begin such development in FY 2005 (with some expenditure of resources beginning in FY 2004).

In FY 2005, OSPI must hire staff and convene two advisory groups to fully design Washington's alternate system. One task force will identify what projects, portfolios, or tasks represent sufficient evidence of mastery of all learning standards for each subject matter required for graduation. A second task force will design the policies to ensure the integrity of the alternative system (e.g., how to ensure only a student's work is assessed).

By fall 2004, OSPI must begin developing the specific tasks, project prompts, or portfolio parameters in order to conduct a limited pilot beginning in February 2005. By assessing student work in the limited pilot, and refining the student options, a larger pilot will be available in January 2006. On this schedule, the final alternate system would be implemented in January 2007.

Alignment Reviews

Over the past eight years, our assessments and learning standards have evolved, as has our knowledge of assessments. As we embark on new levels of accountability for schools and ultimately for graduating students, we need to ensure that our assessments are testing our learning standards. Alignment reviews have been conducted for all three levels of the mathematics assessment. Yet to be completed, and contingent on funding, are alignment reviews for reading and writing assessments at all three grade levels. (A review of science alignment will be completed with federal funds during FY 2004.)

Cut Score Review

When cut scores were adopted for the 10th grade WASL over 8 years ago (reading, writing, and mathematics), standard setting committee members did not directly or deliberately determine what the minimum score should be for purposes of award a Certificate of Mastery (CoM). Our psychometric experts advise us that an intentional, informed, and purposeful decision should be made regarding four potential options for setting the cut scores for purposes of graduation. Cut scores for the 4th and 7th grade should be reviewed at the same time to ensure that the standards on all three benchmark assessments are aligned.

Impact/Outcome and Effect of Not Funding

Re-take opportunities for students who do not initially meet standards in the 10th grade will provide schools with the data they need to provide educational interventions and help students meet standards. Additionally, re-take opportunities will help ensure a sound implementation of our state's new graduation requirements for the Class of 2008. This item must be funded now. Creating a new assessment for fall 2006 requires developing and piloting items beginning in spring and summer 2004.

Alternate assessment opportunities will be developed and implemented for students who feel they have met standards on all learning requirements but who find the standardized WASL a barrier to graduation. This item must be funded now, in order for the alternate assessment to be available in the spring of 2007, in time for the Class of 2008.

Alignment reviews for our assessment items and learning standards will ensure that students are fairly tested against our learning expectations. Where there are inconsistencies between our assessment items and learning standards, any new items developed will be aligned correctly. If this request is not funded, OSPI could be developing items not aligned, which later need to be discarded.

Discussion of Alternatives

Re-takes The Legislature could choose not to provide fall re-take opportunities and only provide 10th grade students with two additional opportunities to re-take the WASL (in the spring of their 11th and 12th grade years). Generally experts agree that two re-take opportunities would not be sufficient, and at this level our assessment system would not be valid and reliable.

If the Legislature desires a fall re-take opportunity in fall 2006, an appropriation must be made for FY 2005. Assessment items must be developed on an 18-month cycle. In order to develop and pilot 10th grade items in reading, writing, and math and construct an assessment for fall 2006, OSPI (and contractors) must begin in the summer of 2004.

Alternate Assessment A similar situation exists regarding development of an alternate assessment. If the Legislature desires the availability of an alternate system for the Class of 2008, appropriations must begin this biennium. Because a system must be fully developed and piloted, OSPI must begin work in FY 2004 in order to fully implement the system by January 2007.

Expenditure Calculation and Assumptions

Re-Take Opportunities

| <u>Summary by Task</u> | <u>FY 2004</u> | <u>FY 2005</u> | <u>FY 2006</u> | <u>FY 2007</u> | <u>FY 2008</u> | <u>FY 2009</u> |
|---|----------------|----------------|----------------|------------------|------------------|------------------|
| Item Develop / Test Construction**** | - | 224,000 | 224,000 | 224,000 | 224,000 | 224,000 |
| Per Student Costs for Printing/Scoring**** | - | 163,732 | 334,280 | 217,925 | 77,815 | 709,464 |
| District Expenses for Fall Re-takes | - | - | - | 5,003,022 | 6,926,329 | 5,788,714 |
| Total | - | 387,732 | 558,280 | 5,444,947 | 7,228,144 | 6,722,178 |

****Amount represents an estimate only. The final cost is dependent on contract negotiations currently in progress.

Alternate Assessment

| <u>Summary by Task</u> | <u>FY 2004</u> | <u>FY 2005</u> | <u>FY 2006</u> | <u>FY 2007</u> | <u>FY 2008</u> | <u>FY 2009</u> |
|----------------------------------|----------------|----------------|----------------|------------------|------------------|------------------|
| Staffing @ OSPI | 33,094 | 150,468 | 150,468 | 150,468 | 150,468 | 150,468 |
| Evidence Task Force | - | 94,403 | - | - | - | - |
| Policies Task Force | - | 94,403 | - | - | - | - |
| Evidence/Item Development | - | - | 166,424 | - | - | - |
| Pilot and Item Analysis | - | - | 92,385 | 92,385 | - | - |
| Final Dissemination of Materials | - | - | - | 218,000 | - | - |
| On-Going Regional Scoring | - | - | - | 111,350 | 222,700 | 222,700 |
| District Advising/Proctor Costs | - | - | - | 830,270 | 1,019,999 | 1,019,999 |
| Total | 33,094 | 339,273 | 409,277 | 1,402,473 | 1,393,167 | 1,393,167 |

Budget Impact in Future Biennia

See above.

Impact on Other State Programs

None

Relationship to Capital Budget

None

Required Changes to RCW, WAC or Contract

No changes are required to RCW or WAC. OSPI is currently negotiating contracts for the development and administration of our WASL. If re-take opportunities are funded, this contract will need to be amended to include additional item development, test construction, student test scoring, and reporting. The contract may also need to be amended to accommodate our alternate assessment system (student results reporting for instance).

IV. Performance Measure Detail

| Output Measures | FY 2004 | FY 2005 |
|--|----------------|----------------|
| 1. Development and piloting of items to construct a fall 2006 re-take opportunity in reading, writing, and math. | | XXX |
| 2. Development of an alternate assessment system design. | XXX | XXX |
| 3. Piloting of alternate assessment tasks and evidence projects. | | XXX |

| Efficiency Measures | FY 2004 | FY 2005 |
|---|----------------|----------------|
| 1. Alignment of our standards and assessment items so that future items developed are valid for testing our writing and reading learning standards. | XXX | |